UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/896,567	06/28/2001	John R. Milton	10010930-1	7963

7590 09/02/2005	**EXAMINER**
HEWLETT-PACKARD COMPANY	SINGH, RACHNA

Intellectual Property Administration
P. O. Box 272400
Fort Collins, CO 80527-2400

ART UNIT	PAPER NUMBER
2176	

DATE MAILED: 09/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	**Applicant(s)**
Office Action Summary	09/896,567	MILTON ET AL.
	Examiner	**Art Unit**	
	Rachna Singh	2176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _07/27/05_.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-4,7-13,16-22 and 25-27_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-4, 7-13, 16-22, and 25-27_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1.   This action is responsive to communications: Amendments filed 07/27/05.

2.   Claims 1-4, 7-13, 16-22, and 25-27 are pending. Claims 5-6, 14-15, and 23-24

were cancelled by the amendment. Claims 1, 10, and 19 are independent claims.

3.   A request for continued examination under 37 CFR 1.114, including the fee set

forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this

application is eligible for continued examination under 37 CFR 1.114, and the fee set

forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action

has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on

07/27/05 has been entered.

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

5.   Claims 1-4, 7-13, 16-22, and 25-27 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Krishna et al., US 6,055,522, 4/25/00 (filed 6/19/97).

        In reference to claim 1, Krishna teaches a dynamic content distributed publishing

system. See abstract. Compare to *"a method for formatting a publication"*. Krishna

teaches the following:

-A server computer system coupled to a network where the server stores a content file

containing a template file for publication. A page builder program that operates on a

document template file to automatically produce a visual representation of each

possible object and state of the template file consisting of a specification for a web page

in terms of object content and actions to be taken on or between such objects. The

object content is embedded in the template file or may be a reference to where content

can be found such as via a URL. See column 1, lines 59-67, column 2, lines 1-28 and

55-67, and column 3. Compare to *"associating, within a server, each of a plurality*

of content items with a select number of sub-templates selected from a plurality

of sub-templates".

-The template containing instructions for creating visual representations of objects for

the publication, the objects described by content information and actions to be taken on

such objects. The viewer program is executed in the context of HTML browser program

that accesses the at least one server computer, receives the template and objects and

renders the information in the template files for display within each region of the

publication. See columns 7-8. Compare to *"generating an instance file in the*

server, wherein the instance file specifies a number of content items and

associates a respective one of the sub-templates with each of the content items."

Krishna teaches content distributed publishing system in which a template

comprising various regions is used to render information for a publication. Krishna

teaches a template containing instructions for creating visual representations of objects

for the publication, the objects described by content information and actions to be taken

on such objects. The viewer program is executed in the context of HTML browser

program that accesses the at least one server computer, receives the template and

objects and renders the information in the template files for display within each region of

the publication. See columns 7-8. Krishna teaches that the template includes a

plurality of regions and the objects and actions specified therein, and renders the

information in the template files for display within each region of the electronic

publication. The content of the regions may be dynamically specified in the template file

such as interactive behavior, page layout, etc. See column 3, lines 30-35. Krishna's

"copyholes" are capable of receiving multiple different content items. In column 5,

Krishna teaches *"The content and action to information in the template file are*

used to change the visual display of the page in response to user inputs. . .The

Page Builder accepts the template file and content files as inputs. The Page

Builder then proceeds to generate a set of HTML page files that capture all

possible visual states specified by the template file. . .The Page Builder program

generates an HTML file for each of the possible display states specified by the

template file" . Compare to *"generating an output file using the template, the sub-*

templates, and the content items . . .in the undefined region, and a plurality of

different combinations of the sub-templates may be associated with the

corresponding content items, the undefined region being compatible . . .having a

corresponding number of different layout configurations using the same

template". Although Krishna does not utilize the term "sub-template", a person of

ordinary skill in the art at the time of the invention would define a template as a

document or file having a preset format and a sub-template as a portion of a document

having a preset format, thus it would have been obvious to a person of ordinary skill in

the art at the time of the invention to interpret the various regions of Krishna as corresponding to the claimed invention's "sub-templates" as both Krishna's regions within the template and a sub-template would provide a skeleton for the publishing layout to better organize content as well as reduce human overhead for page-by-page revision and updating. See column 2, lines 22-30.

In reference to claim 2, Krishna teaches that the content items/objects can be associated with user actions. See column 3, lines 49-55. Furthermore, Krishna teaches that when a client computer wishes to view a template file and makes a request to the server, the template file is downloaded to the browser and the viewer will use URLs to obtain the content and action information from the servers. See column 5, lines 15-50.

In reference to claim 3, Krishna teaches that the request is sent from a client computer before the templates are associated with the content items. See column 5.

In reference to claim 4, Krishna teaches that the object content might be embedded in the template file or may be a reference to where content can be found such as via a URL. See column 1, lines 59-67, column 2, lines 1-28 and 55-67, and column 3. Thus if the object content is embedded in the template file, it does not correspond to the request identifier.

In reference to claim 7, Krishna teaches that the template containing instructions for creating visual representations of objects for the publication, the objects described by content information and actions to be taken on such objects. The viewer program is executed in the context of HTML browser program that accesses the at least one server computer, receives the template and objects and renders the information in the template

files for display within each region of the publication. See columns 7-8. As a copyhole refers to a location where content is to be placed in a document, Krishna's regions in the template are analogous to a copyhole.

In reference to claim 8, Krishna discloses that the viewer program is executed in the context of HTML browser program that accesses the at least one server computer, receives the template and objects and renders the information in the template files for display within each region of the publication. See columns 7-8. Regions are analogous to sub-templates.

In reference to claim 9, Krishna discloses in figure 2 that two different regions on the template can be of different heights where one height is a whole number multiple of another sub-template. See figure 2, elements a and b. A person of ordinary skill in the art at the time of the invention would recognize that having different regions on a publication page would be necessary when dealing with content of different lengths and formats.

Claims 10-13 and 16-18 are rejected under the same rationale used in claims 1-4 and 7-9 respectively above.

Claims 19-22 and 25-27 are rejected under the same rationale used in claims 1-4 and 7-9 respectively above.

Response to Arguments

6.   Applicant's arguments filed 07/27/05 have been fully considered but they are not persuasive.

Applicant argues Krishna does not describe the use of a template in which a
portion of the document comprises an undefined region. Applicant argues the regions
in Krishna are specifically defined in terms of size and what content may be placed
therein much like copyholes in various publications. Examiner respectfully disagrees.
In column 2, lines 22-29, Krishna discloses *"The advantage of using such a template
tool is that the publisher does not need to know, at the time of designing the
page, the exact nature of or the amount of information to be displayed.
Specifically, through calls to information sources, the template can be filled
automatically with current information with much reduced human overhead for
page-by-page revision and updating."* Krishna's teachings indicate that there is not a
set size or set content for the various regions existing in the template. In fact, Krishna
further teaches *"providing a way for publishers to view the production of web
pages as a dynamic content process"*. See column 2. Krishna's "copyholes" are
capable of receiving multiple different content items. In column 5, Krishna teaches
*"The content and action to information in the template file are used to change the
visual display of the page in response to user inputs. . .The Page Builder accepts
the template file and content files as inputs. The Page Builder then proceeds to
generate a set of HTML page files that capture all possible visual states specified
by the template file. . .The Page Builder program generates an HTML file for each
of the possible display states specified by the template file"* .

Krishna teaches a content distributed publishing system in which a template
comprising various regions is used to render information for a publication. Although

Krishna does not utilize the term "sub-template", a person of ordinary skill in the art at the time of the invention would define a template as a document or file having a preset format and a sub-template as a portion of a document having a preset format, thus it would have been obvious to a person of ordinary skill in the art at the time of the invention to interpret the various regions of Krishna as corresponding to the claimed invention's "sub-templates" as both Krishna's regions within the template and a sub-template would provide a skeleton for the publishing layout to better organize content as well as reduce human overhead for page-by-page revision and updating. See column 2, lines 22-30. The page builder also incorporates therein a set of transition actions between the visual representations.

Applicant argues that Krishna discloses an unlimited amount of space for a given web page and thus fails to show the use of sub-templates. Examiner respectfully disagrees since Krishna discloses content distributed publishing system in which a template comprising various regions is used to render information for a publication. The regions can be populated with content consisting of various fonts and text attributes.

Applicant amendment recites, *"a plurality of different combinations of the sub-templates may be associated with the corresponding content items, the undefined region being compatible with any one of the different combinations of the sub-templates, thereby facilitating the creation of a plurality of documents having a corresponding number of different layout configurations using the same template"*. Krishna teaches that the template includes a plurality of regions and the objects and actions specified therein, and renders the information in the template files

for display within each region of the electronic publication. The content of the regions

may be dynamically specified in the template file such as interactive behavior, page

layout, etc. See column 3, lines 30-35. Krishna's "copyholes" are capable of receiving

multiple different content items. In column 5, Krishna teaches *"The content and*

action to information in the template file are used to change the visual display of

the page in response to user inputs. . .The Page Builder accepts the template file

and content files as inputs. The Page Builder then proceeds to generate a set of

HTML page files that capture all possible visual states specified by the template

file. . .The Page Builder program generates an HTML file for each of the possible

display states specified by the template file" .

In view of comments and rejections above, Examiner's position is maintained.

Conclusion

7.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Rachna Singh whose telephone number is 571-272-

4099. The examiner can normally be reached on M-F (8:30AM-6:00PM). If attempts to

reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather

Herndon can be reached on 571-272-4136.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

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For more information about the PAIR system, see http://pair-direct.uspto.gov. Should
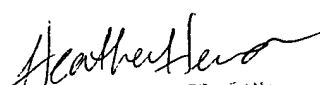
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RS
08/30/05

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